

# **Meeting Minutes**

## **Natural Heritage Advisory Council**

**October 25, 2018**

Minutes Approved: January 29, 2019

Natural Resources Building – Room 172  
1111 Washington Street SE  
Olympia, Washington 98504

**Council members present:** Peter Dunwiddie (Chair), Kathryn Kurtz, Janelle Downs, Ian Sinks, Cheryl Schultz, Heida Diefenderfer (remotely), Becky Brown (remotely), Randi Shaw (afternoon only), Adam Cole (RCO), Heather Kapust (DOE; morning only), Rob Fimbel (State Parks; remotely) and Brock Milliern (DNR).

**Council members absent:** Wendy Connally (WDFW)

**Staff present:** John Gamon, Andrea Thorpe, Curt Pavola, Mark Reed; also Joe Rocchio and Tynan Ramm-Granberg attended during Shadow Lake Bog discussion.

**Guests/Others:** Pene Speaks (during discussion of Washington Register of Natural Areas and Shadow Lake Bog registry recommendation).

1. **Welcome and Introductions:** Chair Dunwiddie called the meeting to order at 9:45 a.m. Council members and DNR staff introduced themselves.
2. **Review and approval of June 14, 2018 meeting minutes:** It was moved (Sinks) and seconded (Downs) that the draft minutes be approved with one correction (spelling of first name of council member Kurtz). The minutes were unanimously approved.

Fimbel inquired about sources of additional information concerning mountain biking and wildlife interactions. Chair Dunwiddie suggested Richard Knight at Colorado State is an expert. Sinks added that Portland Metro conducted a literature review that is online and he will email a link to that work.

3. **Carry forward items from June NHAC meeting** - Gamon noted two carry-forward items: council vacancies and visiting natural areas. With regard to vacancies, Gamon noted that new council member Randi Shaw will be joining today's meeting and that efforts to identify candidates for the other vacant positions are on-going. On the topic of council member visits to DNR Natural Areas, Gamon indicated that no requests have been received and staff have not yet reached out with specific site visit ideas. Dunwiddie and Gamon agreed that it is important to continue to explore opportunities for council members to visit natural areas.
4. **Acquisitions Update** – Reed summarized recent land acquisitions (since the June NHAC meeting) within four DNR Natural Areas: Chehalis River Surge Plain NAP, Mount Si NRCA, Woodard Bay NRCA, and Rattlesnake Mountain Scenic Area. A written copy of his report is attached to these minutes.

The substantial acquisition at Chehalis River Surge Plain prompted Diefenderfer to inquire about planning for climate change; she suggested looking into the SLAMM method of analysis ("Sea Level Affecting Marshes Model") from the National Oceanic and Atmospheric Administration.

The presentation also prompted Sinks to request access to KMZ files for Natural Area boundary and ownership information. Staff will follow-up on this request and report back to the council.

5. **NHAC By-Laws** – Gamon facilitated a review of the draft by-laws (see the attached, pre-council meeting version). Specific discussion topics and decision items included:
  - a. Section IV (Council Composition) – It was noted that the draft document included "ecological" expertise as desirable for council appointees, whereas the statute only referenced biological and geological expertise. It was decided that the by-laws should reflect the statutory language, in particular given that the statute also includes the statement that the scientists appointed to the council "...shall be recognized experts in the ecology of natural areas..." implying that they have ecological expertise.
  - b. Section VIII (Council Officers) – Issues discussed included whether there should be an eligibility requirement to serve as chair, how long should the chair be able to serve, and whether there was a need for a vice-chair (the only officer required by statute is that of chairperson). After discussion, there was general agreement that only appointed members should be eligible to serve as the chairperson and that to be eligible, an appointed member would need to have served a minimum of two years on the council. It was suggested that authorizing the chair to delegate responsibilities to other council members would preclude the need for establishing other council officers, including that of vice-chair.
  - c. Section IX (Council member duties and responsibilities) – There was discussion of the role of council members to encourage not only scientific research, but educational use of natural areas. As a result, "education" was added to the following duty: "Encourage appropriate scientific research *and education* on Natural Area Preserves and review scientific or management proposals which may have a significant effect on a Natural Area Preserve and/or its components."
  - d. Section X (Conduct of meetings: public comment) – There was discussion of how best to address the issue of providing an opportunity for public comment at council meetings. There was agreement to add a standard 'public comment' item to each meeting agenda and to grant the chair the authority and flexibility to manage public comment opportunities as the need arises.
  - e. Section X (Conduct of meetings: quorum) – Options regarding how to define 'quorum' were presented and discussed. There was agreement that a quorum should be defined as a majority of the appointed positions that are filled at any point in time. Discussion resulted in an additional requirement that a minimum of five appointed council positions be filled.
  - f. Section X (Conduct of meetings: avoidance of inadvertent meetings) – The ramifications under the Open Public Meetings Act of inadvertently having a quorum of the council together at the same time, such as when traveling in a van or during a meal, were discussed. Clarification was provided that the simple act of being together was not an issue, but that discussing council-related business was problematic. Although some expressed the opinion that it was good to have reminders of the requirements of the Open Public Meetings Act, it was decided that such reminders did not have to be incorporated into the by-laws.
  - g. Section X (Conduct of meetings: decision-making) – Options regarding how to define 'majority' were presented and discussed. There was agreement that 'majority' should be defined as a majority of the voting members present at a meeting, without regard to whether individuals abstain from voting.
  - h. Section XIII (Council Record Keeping) – It was determined that this section was duplicative of the information provided in Section Xa of the draft by-laws and could, therefore, be deleted.

After a break for lunch, Gamon reviewed the above discussion, identifying decisions regarding revisions to the draft by-laws. Chair Dunwiddie asked for a motion on the revised draft. It was moved

(Downs) and seconded (Kurtz) that the by-laws be approved as per the changes made during the above-referenced discussion. The motion passed unanimously.

6. **Washington Register of Natural Areas** – Pene Speaks, a former DNR manager with responsibilities for the Natural Areas and Natural Heritage Programs, and a current Natural Heritage Program volunteer, presented a PowerPoint overview of the Washington Register of Natural Areas.

Shadow Lake Bog - Speaks also presented a recommendation to add Shadow Lake Bog to the Washington Register of Natural Areas (see attached). Joe Rocchio, Natural Heritage Program vegetation ecologist, provided information on the bog community types and the current status and condition of the bog.

The recommended site is a mixture of land trust (Shadow Lake Nature Preserve) and individual privately owned parcels, some of which have conservation easements. It was moved (Sinks) and seconded (Shaw) to approve the addition of Shadow Lake Bog to the Washington Register of Natural Areas. It was clarified that the Washington Register of Natural Areas certificate would be issued to the land trust. The motion was approved unanimously.

After a short discussion of the potential for future additions to the Register, council member Sinks offered to help connect Natural Heritage Program staff with local land trusts to discuss the registry program.

Mention of the recent addition of the Colockum Road site in Chelan County to the Washington Register of Natural Areas prompted council member Downs to inquire about the status of the boundary at Upper Dry Gulch NAP. The council had previously approved an expansion that included the Colockum Road registry site within the boundary, but the Colockum Road site was not included in the expanded boundary that was ultimately approved by Commissioner Goldmark. Milliern noted that if we were to reconsider that boundary decision that a public process would be advisable due to the number of years that have passed since the previous boundary hearing.

7. **Natural Areas and Natural Heritage Programs 2019-2021 Budget Request** – Gamon presented an overview of the pending budget request for the Natural Heritage Program and Natural Areas program, including two operating budget requests and a capital project request.

Operating request – The Department has included in its operating request for the 2019-2021 a request to increase funding for the Natural Heritage and Natural Areas programs, and Community Forests, by \$1,526,800. The request has been bundled together in what is being referred to as the Environmental Resilience package, which has a total price tag of approximately \$18,000,000. The Natural Heritage and Natural Areas programs' objectives for the funding request are to (1) increase our capacity to manage the natural area investments made by the state, (2) increase opportunities for public access to natural areas, (3) increase our ability to share our expertise and knowledge regarding conservation science, and (4) increase our overall conservation effectiveness through increased collaboration and partnerships with local governments, non-profit conservation organizations and school districts. Our portion of the package would essentially fund increased staffing to manage natural areas, increased funding to Natural Heritage to share their information and expertise with others, and a shared outreach and education specialist to work with local governments, land trusts and school districts.

Capital request – The Department has included a \$7,048,000 request for a list of 36 projects on 32 different natural areas. Projects are located in 19 different counties, including 19 projects at 11 locations within the Puget Sound Basin.

The funding would increase opportunities for low-impact recreation while furthering conservation and environmental education goals by:

- Construction or renovation of public access facilities, such as trails, trailheads, stairs, bridges, and boardwalks
- Construction or renovation of educational facilities such as overlooks, shelters and kiosks
- Installation of signs for safety, direction, and site interpretation
- Elimination of threats to the environment and the public through demolition of deteriorated facilities and installation of fences
- Making emergency repairs due to storm, flood or fire damage; hazardous tree removal; illegal activities; or other conditions threatening public safety and ecosystem integrity

“Maintenance” Level Operating request – The Department has included a request for an increase of \$444,000 to the Natural Areas Program base budget to cover the increased costs associated with recent acquisitions totaling approximately 5,800 acres. That is, newly acquired sites have costs associated with maintaining public access, safety, ecosystem health, etc., and those costs continue into the future.

8. **WWRP 2018 Evaluation Results** – Gamon reviewed the results of the 2018 round of Washington Wildlife and Recreation Program grant applications, which will be under consideration for funding during the 2019-2021 State Biennium. The Recreation and Conservation Office has made the grant results, along with different funding level scenarios, available at:  
<https://www.rco.wa.gov/documents/grants/WWRP2019-21ComparisonList.pdf>

The lists of potentially funded projects, by the various WWRP categories, are also included in the Natural Areas Program Report to the council (attached). Curt Pavola noted that DNR ranked at the top of all categories, attributing the success to the dedication, knowledge and experience of our staff in producing quality grant applications, highlighting the ecological focus of our work and based on the solid foundation of the Natural Heritage Plan.

9. **Agency Reports** – Written reports, attached to these minutes, were submitted by Kapust (DOE), Fimbel (State Parks) and Cole (RCO). Cole also presented the highlights of his written report.
10. **Natural Areas and Natural Heritage Program Reports** – Written reports were made available to those in attendance (see attached). Highlights were reviewed by Pavola and Thorpe, respectively.

Natural Areas Program - Pavola noted the extraordinary efforts of DNR Olympic Region Manager Mona Griswold in assembling region funding for a shared position to focus on Natural Areas, at least through the end of this biennium (through June 2019). As previously discussed, the department is seeking additional funding to support a full-time position in Olympic Region beginning in the 2019-2021 biennium.

Natural Heritage Program - Thorpe noted that recent work by ecologists Joe Rocchio and Tynan Ramm-Granberg included research on bogs, conducting Ecological Integrity Assessments for Columbia Land Trust, and updating the U.S. National Vegetation Classification for the National Park Service. Highlight's from botanist Walter Fertig's work included documenting new occurrences of the recently described 'yeti phox' (*Phlox solivaga*) and identifying two populations of a species last seen in the state in 1933 (*Draba taylori*).

11. **Other Business** – Options for meeting dates for calendar year 2019 were reviewed. No conflicts were identified for a meeting on January 29, 2019. However, there were conflicts identified for suggested dates for the remaining meetings. Gamon will initiate a Doodle poll to select dates for those meetings.

Council member Diefenderfer shared with the council that she recently saw former member Norm Schaaf. He is doing well and asked Heida to pass along his best wishes to the council.

Chair Dunwiddie asked DNR staff to confirm the starting date for his chairmanship, with the thought that it may be time for the council to select a new chair. Gamon will research the question and stated that it can be an agenda item for the next meeting.

12. **Adjourn** - Chair Dunwiddie adjourned the meeting at 3:43 p.m.